

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

James J. Dilts
Shelley L. Dilts
Debtor(s)

Bankruptcy Case No.: 14-22822-GLT
Issued Per 7/27/2017 Proceeding
Chapter: 13
Docket No.: 73 - 68
Concil. Conf.: July 27, 2017 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 22, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,722.00 as of August, 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jul. 27, 2017 at 02:00 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 9-2 of Wilmington Savings Fund, following all post-petition payment changes of record filed to date .
- ☒ H. Additional Terms: A Fee Application is needed if any fee (including retainer) exceeds \$4,000.00 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: July 28, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 James J. Dilts
 Shelley L. Dilts
 Debtors

Case No. 14-22822-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

Page 1 of 2
 Total Noticed: 34

Date Rcvd: Jul 28, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2017.

db/jdb
 cr
 13958678 +James J. Dilts, Shelley L. Dilts, 103 W Adams Ave, Vandergrift, PA 15690-1304
 +HOUSEHOLD REALTY CORPORATION, 14841 Dallas Parkway Suite 300, Dallas, Tx 75254-7883
 American InfoSource LP as agent for, DIRECTV, LLC, PO Box 51178,
 Los Angeles, CA 90051-5478
 13887208 +CAP ONE, PO Box 30253, Salt Lake City, UT 84130-0253
 13887211 +CHASE BANK USA, PO Box 15298, Wilmington, DE 19850-5298
 13887212 +COMENITY BANK/GNTEAGLE, PO Box 182789, Columbus, OH 43218-2789
 13887210 +Capital One, PO Box 30253, Salt Lake City, UT 84130-0253
 13891609 +Capital One Auto Finance, PO Box 9013, Addison, TX 75001-9013
 13946939 +HSBC Mortgage Services, Inc., P.O. Box 21188, Eagan, Minnesota 55121-0188
 14146181 +Household Realty Corporation, C/O HSBC Mortgage Services, Inc., P.O. Box 21188,
 Eagan, Minnesota 55121-0188
 13887217 +SPRINGLEAF FORMERLY AGF, PO BOX 899, Indiana, PA 15701-0899
 13904190 +Santander Consumer USA, Po Box 560284, Dallas, TX 75356-0284
 13887214 +Santander Consumer USA Inc, P.O. Box 961245, Fort Worth, TX 76161-0244
 13887215 +Sears, PO Box 6282, Sioux Falls, SD 57117-6282
 13887223 +TD Bank USA/Target Credit, PO Box 673, Minneapolis, MN 55440-0673
 13887224 #+Verizon Wireless, PO Box 26055, Minneapolis, MN 55426-0055
 13887225 +Wells Fargo, PO Box 29704, Phoenix, AZ 85038-9704
 13938309 +Wells Fargo Bank, N.A., Attention: Bankruptcy Department, MAC # D3347-014,
 3476 Stateview Boulevard, Fort Mill, SC 29715-7203
 14421440 +Wilmington Savings Fund Society, FSB, d, Serviced by Select Portfolio Servicing,,
 3217 S. Decker Lake Dr., Salt Lake City, UT 84119-3284

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr
 13931076 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 29 2017 01:14:03
 PRA Receivables Management, LLC, PO Box 41067, Norfolk, VA 23541-1067
 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 29 2017 01:13:53
 American InfoSource LP as agent for, Verizon, PO Box 248838,
 Oklahoma City, OK 73124-8838
 13958943 E-mail/PDF: rmscedi@recoverycorp.com Jul 29 2017 01:08:07 Capital Recovery V, LLC,
 c/o Recovery Management Systems Corporat, 25 SE 2nd Avenue Suite 1120, Miami FL 33131-1605
 14520085 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 29 2017 01:14:02
 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541
 13948344 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 29 2017 01:14:02
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 13920140 E-mail/Text: bankruptcy@progfinance.com Jul 29 2017 01:10:48 NPRT0 North-East, LLC,
 10619 South Jordan Gateway, #100, South Jordan, Utah 84095
 13887213 +E-mail/PDF: gecscdi@recoverycorp.com Jul 29 2017 01:07:55 Paypal, PO Box 960080,
 Orlando, FL 32896-0080
 13940625 E-mail/Text: bnc-quantum@quantum3group.com Jul 29 2017 01:10:29
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 13915613 E-mail/PDF: cbp@onemainfinancial.com Jul 29 2017 01:07:55 Springleaf Financial Services,
 P.O. Box 3251, Evansville, IN 47731-3251
 13887219 +E-mail/PDF: gecscdi@recoverycorp.com Jul 29 2017 01:07:55 SYNCB/Care Credit,
 PO BOX 965036, Orlando, FL 32896-5036
 13887220 +E-mail/PDF: gecscdi@recoverycorp.com Jul 29 2017 01:07:45 SYNCB/JC PENNEY, PO BOX 965007,
 Orlando, FL 32896-5007
 13887218 +E-mail/PDF: gecscdi@recoverycorp.com Jul 29 2017 01:07:55 SynCB/Amazon, PO BOX 965015,
 Orlando, FL 32896-5015
 13887221 +E-mail/PDF: gecscdi@recoverycorp.com Jul 29 2017 01:07:55 SynCB/Old Navy, PO BOX 965005,
 Orlando, FL 32896-5005
 13887222 +E-mail/PDF: gecscdi@recoverycorp.com Jul 29 2017 01:08:04 SynCB/Walmart, PO BOX 965024,
 Orlando, FL 32896-5024
 13918501 +E-mail/Text: bncmail@w-legal.com Jul 29 2017 01:10:51 TD BANK USA, N.A.,
 C O WEINSTEIN, PINSON AND RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
 TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Capital One Auto Finance
 cr Wells Fargo Bank, N.A.
 cr Wilmington Savings Fund Society, FSB, d/b/a Christ
 13887209* +CAP ONE, PO Box 30253, Salt Lake City, UT 84130-0253
 13887216* +Sears, PO Box 6282, Sioux Falls, SD 57117-6282
 cr ##+SELECT PORTFOLIO SERVICING, INC, 3815 South West Temple, Salt Lake City, UT 84115-4412
 TOTALS: 3, * 2, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: dbas
Form ID: 149

Page 2 of 2
Total Noticed: 34

Date Rcvd: Jul 28, 2017

***** BYPASSED RECIPIENTS (continued) *****

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Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 30, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, as indenture trustee, for the CSMC 2017-1 Trust, Mortgage-Backed Notes, Series 2017-1
bkgroup@kmlawgroup.com
James A. Prostko on behalf of Creditor Wells Fargo Bank, N.A. pawb@fedphe.com,
james.prostko@phelanhallinan.com
Lawrence W. Willis on behalf of Joint Debtor Shelley L. Dilts help@urfreshstrt.com,
urfreshstrt@gmail.com
Lawrence W. Willis on behalf of Debtor James J. Dilts help@urfreshstrt.com,
urfreshstrt@gmail.com
Mario J. Hanyon on behalf of Creditor Wells Fargo Bank, N.A. pawb@fedphe.com
Martin A. Mooney on behalf of Creditor Capital One Auto Finance tshariff@schillerknapp.com,
ahight@schillerknapp.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Paul William Cressman on behalf of Creditor Wells Fargo Bank, N.A. pawb@fedphe.com
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 9